

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE :
HARVEY PICKERING,
APPELLANT.

CHAPTER 7

Case# 07-10441

DESIGNATION OF ITEMS

1. On April 17, 2007, the appellant, Harvey Pickering requested that U.S. Bankruptcy Court Judge Drain to dismiss landlords motion to lift the automatic stay, for failing to serve the appellant with a copy of their papers, which was denied.
2. On April 17, 2007, the appellant, Harvey Pickering and landlords attorney "joined on a motion" requesting that U.S. Bankruptcy Court Judge Drain grant the appellant an extension of time to answer landlords motion, but was denied.

STATEMENT OF ISSUES

1. Should U.S. Bankruptcy Court Judge Drain have dismissed landlords motion to lift the automatic stay based upon jurisdictional defect for failing to serve appellant with a copy of their papers, Yes.
2. In the alternative, should U.S. Bankruptcy Court Judge Drain have granted appellant and landlords counsel request for an extension of time, so appellant may answer in opposition to landlords motion to lift the automatic stay, Yes.

SINCERELY,

DATED: April 23, 2007.

Harvey Pickering
Harvey Pickering
4539 Bronx Blvd.
Bronx, N.Y. 10470